

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

United States of America

v.

Dartagnan Blaze Surratt

Case No.

1:20MJ183-1

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 7, 2020 in the county of Forsyth in the
Middle District of North Carolina, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 922(g)(1) & 924(a)(2)

Felon in Possession of Firearms

21 U.S.C. § 841(a)(1) & (b)(1)(D)

Possession with Intent to Distribute Marihuana

18 U.S.C. § 924(c)(1)(A)(i)

Possession of a Firearm in Furtherance of a Drug Trafficking Crime

This criminal complaint is based on these facts:

See Affidavit

☒ Continued on the attached sheet.

On this day, the applicant appeared before me via reliable electronic means, that is by telephone, was placed under oath, and attested to the contents of this Criminal Complaint and attached affidavit in accordance with the requirements of Fed. R. Crim. P. 4.1.

Date: 06/29/2020 11:53amCity and state: Durham, North Carolina/s/ Brandon S. Shields*Complainant's signature*Brandon S. Shields, ATF Task Force Officer*Printed name and title*

*Judge's signature*Joe L. Webster, U.S. Magistrate Judge*Printed name and title*

AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT AND ARREST WARRANT

I, B.S. Shields, being first duly sworn, hereby depose and state as follows:

1. Your Affiant is employed as an Investigator with the Forsyth County Sheriff's Office. Your Affiant is currently assigned to the Charlotte Division, Greensboro Resident Agency Office of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) as a Task Force Officer (TFO). In this capacity, Your Affiant is authorized to investigate matters involving violations of federal law. Your Affiant holds the Intermediate Law Enforcement Certificate issued by the North Carolina Criminal Justice Training and Education Standards Commission.

2. As a Federal Task Force Officer, Your Affiant is authorized to investigate violations of United States laws and to execute warrants issued under the authority of the United States.

3. Your Affiant has conducted and assisted with numerous investigations involving the commission of violent crimes, such as shootings, aggravated assaults, robberies, etc. Through instruction, training, experience, participation in investigations, and the exchange

of information with other law enforcement, agents and officers, Your Affiant has become familiar with the manner in which people commit violent acts and the methods, language, and terms that are used to further their criminal activities. Your Affiant has conducted and assisted with numerous narcotics investigations, such as trafficking narcotics, sales and distribution of narcotics as well as maintaining structures or vehicle for the sale and distribution of narcotics.

4. On June 7, 2020, a Forsyth County Sheriff's Office Deputy attempted to stop a black 2019 Buick Cascada convertible, by activating the patrol car's blue lights and sirens, for speeding 87 mph in a 65 mph zone on U.S. Highway 421 southbound in Lewisville, North Carolina. The Buick Cascada failed to stop and a short high speed chase ensued. The Buick Cascada attempted to exit on to Lewisville-Clemmons Road and turn right, but the driver failed to effectively reduce speed to make the turn. As a result, the Buick Cascada crashed into a concrete median.

5. The driver fled from the Buick Cascada on foot towards a Bojangles' restaurant where the pursuing deputy lost sight of the male at a wood-line behind the structure. Minutes later several deputies searched throughout the nearby area and located a white male, matching the initiating

deputy's description emerging from the woods on Marty Lane (an adjacent street) and took the male into custody. The original pursuing Sheriff's Deputy identified the man, DARTAGNAN BLAZE SURRATT, as the driver of the Buick Cascada, who ran from it after he crashed it into the median, abandoning the automobile and its contents. While making contact with the female passenger Sheriff's Deputies observed an open bottle of liquor in the passenger floor board and detected an odor of marijuana emitting from the vehicle. One of the firearms was also observed in plain view, due to the convertible top being in the down position exposing all of the interior of the Buick Cascada. The barrel of the firearm was extending from a green bag in the back seat.

6. A female passenger, Samantha Denny, was found in the front passenger seat of the vehicle, wearing a black bandana. She had slurred speech, an odor of alcohol about her person, and complained of injuries. She was treated at the scene.

7. A green iPhone 11 cell phone with charging cord was seized from the driver's seat of the Buick Cascada. On the driver's floorboard, officers located a firework mortar round, an aerial artillery shell firework prohibited to possess in the State of North Carolina, and flakes of suspected marijuana.

On the front passenger side floorboard, officers located an open container of alcohol (a bottle of Jim Beam), cigar rolls, a white purse containing \$635 in U.S. currency, a pink bag containing a glass jar with suspected marijuana in it, a glass pipe, a silicone pipe with marijuana residue, black handcuffs, and various receipts. On the rear driver's side floorboard, officers located a Ziploc bag with marijuana, two oxycodone pills, and a black bandana. In the center console, officers located a digital scale with drug residue on it and handcuff keys. In the rear passenger floorboard, officers located a tactical style camouflage vest absent the armor plates with a security patch affixed to the front, a thermal zebra striped bag filled with a grocery bag containing marijuana, approximately \$7,140 of U.S. currency wrapped in a hair tie, multiple boxes of cannabis oils, a vape pen, multiple containers of brand name marijuana jars, and a Ruger, model EC9, 9mm handgun loaded with ammunition (bearing serial number 456-01846). Also in the rear passenger floorboard was a green rifle bag containing three additional firearms: a Romanian AK-47 style semi-automatic 7.62x39mm caliber rifle with magazine (bearing serial number A1-64667-18 RO); a Thompson semi-automatic .45 caliber rifle without a stock and wood foregrip and an attached 30 round stick magazine (bearing serial number 31449); and an AM-15 (AR style) semi-automatic 5.56 caliber handgun loaded with ammunition (bearing serial number 18191020), and three additional magazines. A stroller was

located in the back passenger seat. Inside the trunk officers located multiple additional fireworks, multiple receipts, and a white poster board that appeared to a protest sign. In total, officers seized four firearms, ammunition, approximately \$7,600, and approximately 5.6 ounces of marijuana, among other items noted above. While counting the money, officers located a \$20 bill that had a white powdery substance on it, which was field tested and was positive for cocaine.

8. It was determined that SURRATT was a convicted felon and could not lawfully possess a firearm. Court records show that SURRATT was convicted of the felony offense of Larceny from the Person on November 1, 2018 in the Superior Court of Forsyth County, North Carolina docket number 18r056867. SURRATT was sentenced to 6 months minimum to 17 months maximum imprisonment, suspended for 24 months with supervised probation. He was on active supervised probation at the time of his arrest.

9. A preliminary assessment of the four firearms seized from the automobile indicate that one or more of the four firearms (Ruger EC9s 9mm handgun S/N 456-01846, a Romanian AK-47 style rifle S/N A1-64667-18 RO, a Thompson semi-auto .45 caliber rifle S/N 31449, and an AM-15 5.56 handgun S/N 18191020 with additional magazines), were not manufactured in the State

of North Carolina and, therefore, traveled in interstate commerce, foreign commerce, or both, and meet the definition of a “firearm” as set forth in 18 U.S.C. § 921(a)(3). Upon initial examination the Romanian AK-47 has a stamp on the frame of the weapon indicating made in Romania. ATF Agent Paul Johnson assisted with examination of the firearms and test-fired them. ATF Agent Paul Johnson determined that it was an operable firearm, and therefore met the definition of a firearm in 18 U.S.C. § 921(a)(3). ATF SA Paul Johnson, an interstate nexus expert, made the determination with the information that was provided in reference to Ruger EC9s 9mm handgun S/N 456-01846, Romanian AK-47 style rifle S/N A1-64667-18 RO, Thompson semi-auto .45 caliber rifle S/N 31449, and an AM-15 5.56 handgun S/N 18191020 the firearm were not manufactured in North Carolina, and thus must have traveled in interstate and foreign commerce to have been found in the State of North Carolina.

10. During the course of the investigation a search warrant was obtained for the Apple Iphone 11 mobile device on 6-12-2020, the Apple Iphone was located inside the vehicle on the driver side area of the Buick Cascada that Mr. SURRATT fled from. As a result of a forensic data extraction of the Apple Iphone 11 it was determined the device was in fact registered to Samantha Faith Denny, the passenger of the Buick Cascada.

Along with identifying the owner of the phone numerous photos of Mr. SURRATT were located. The photos discovered were of Mr. SURRATT posing with what appeared to be the Anderson Arms AM-15 assault pistol found in the vehicle Mr. SURRATT fled from. It was identifiable due to a distinguishing characteristic on the firearm where the rear take down pin was missing and foreign object was in its place. There were also several photos in which suspected narcotics, such as marijuana, were present along with what appeared to be the firearm. Evidence was also found of suspected narcotics sales as well as large amounts of what appeared to be marijuana and large sums of money. Several photos of Mr. SURRATT were also found of him holding a sign which was also found and seized during the search of the vehicle he fled from. It was determined that the photos had a time stamp in the data of May 26th 2020- May 28th 2020, just two weeks prior to the incident in which he was arrested for.

11. On June 8th 2020, the Affiant made contact with Mr. Robert Guy of the Governor's Clemency Office to verify if Dartagnan Blaze SURRATT had previously received any pardons or his felony convictions. Mr. Guy stated Dartagnan Blaze SURRATT did not have any pardons for any convictions.

12. Based on all the facts set forth above, I believe that probable cause exists to find that Dartagnan Blaze SURRATT. has violated 18 U.S.C. § 922(g)(1) & 924(a)(2) - Felon in Possession of Firearms, 21 U.S.C. § 841(a)(1) & (b)(1)(D) - Possession with Intent to Distribute Marihuana and 18 U.S.C. § 924(c)(1)(A)(i) - Possession of Firearms in Furtherance of a Drug Trafficking Crime.

/S/ **Brandon S. Shields**

Brandon S. Shields

Task Force Officer

Bureau of Alcohol, Tobacco, Firearms and Explosives

Dated: June 26, 2020 11:53am

Pursuant to Rule 4.1 of the Federal Rules of Criminal Procedure, the affiant appeared before me via reliable electronic means (telephone), was placed under oath, and attested to the contents of this written affidavit.

A handwritten signature in black ink, appearing to read "Joe L. Webster", is written over a horizontal line.

Joe L. Webster

United States Magistrate Judge

Middle District of North Carolina